

204.8 Inspections and tests — certificate of crop inspection.

1. *a.* The department shall conduct an annual inspection of a licensee's crop site to determine if the crop produced at the site qualifies as hemp under [this section](#). The annual inspection shall include obtaining a sample of plants that are part of the crop and providing for an official test of that sample. The inspection shall be conducted as provided in [section 204.9](#).

b. A licensee shall deliver a notice to the department stating the expected harvest date for the crop produced at the licensee's crop site. The department must receive the notice at least thirty days prior to the expected harvest date. The department shall conduct the annual inspection of the site within thirty days prior to the actual harvest date.

c. The department shall provide the department of public safety any official test results that indicate a sample exceeds the maximum concentration of delta-9 tetrahydrocannabinol in excess of two percent on a dry weight basis.

d. A licensee shall not harvest any portion of a crop produced at the licensee's crop site unless the department has issued the licensee a certificate of crop inspection. The department shall issue a verified copy of the certificate to any other person upon request of the licensee. The certificate shall be published by the department as an official form. To the extent allowed by the federal hemp law, the certificate shall be proof that the harvested crop described on the form qualifies as hemp pursuant to the results of an official test.

2. The department may conduct official tests for additional varieties of hemp located on the same licensed crop site. The department may conduct additional inspections and tests upon the request of a licensee.

3. The official test shall be a composite test of the plants obtained by the department from a licensee's crop site during the annual inspection and shall be conducted by a laboratory designated by the department. The sample must have a maximum concentration of delta-9 tetrahydrocannabinol that does not exceed three-tenths of one percent on a dry weight basis.

4. The department of public safety or a local law enforcement agency may conduct an inspection of a licensee's crop site in order to determine that the licensee is complying with the criminal provisions of [this chapter](#) as well as [chapters 124](#) and [453B](#). The department of public safety or a local law enforcement agency may conduct a test of the plants obtained by that department or local law enforcement agency from the licensee's crop site during the inspection according to procedures adopted by the department of public safety.

2019 Acts, ch 130, §8, 18, 19

Referred to in §204.3, 204.5, 204.7, 204.9, 204.10, 204.14, 204.15

Implementation of section subject to approval of a state plan as described in section 204.3 by the United States department of agriculture;
2019 Acts, ch 130, §18

NEW section